



S/N 10/716,020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALFERNESS ET AL.	Examiner:	VENIAMINOV
Serial No.:	10/716,020	Group Art Unit:	3736
Filed:	NOVEMBER 17, 2003	Docket No.:	11998.21USC2
Title:	CARDIAC DISEASE TREATMENT AND DEVICE		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 15, 2004.

By: *Linda M. Beckman*
Name: Linda M. Beckman

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Acorn Cardiovascular, Inc., a corporation organized and existing under the laws of the State of Minnesota and having its primary place of business at 601 Campus Drive, St. Paul, Minnesota 55112, in the county of Ramsey, and the state of Minnesota represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/716,020, filed on November 17, 2003 and entitled CARDIAC DISEASE TREATMENT AND DEVICE, by virtue of our assignment recorded at Reel 011139, Frame 0733.

Petitioner, Acorn Cardiovascular, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 6,482,146 B1 and 6,682,476 B2 and hereby agrees that any patent so granted on the above-

03/17/2005 DLILES 00000029 132725 10716020
Sale Ref: 00000029 DRD: 132725 10716020
01 FC:2251 55.00 DA

03/17/2005 DLILES 00000030 132725 10716020
01 FC:2014 55.00 DA

Code and that such willful false statements may jeopardize the validity of the application or any

patent issued thereon.

Respectfully submitted,

MERCHANT & GOULD P.C.

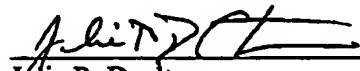
P.O. Box 2903

Minneapolis, Minnesota 55402-0903

(612) 332-5300

Date: 11-15-04





Julie R. Daulton
Reg. No. 36,414